

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOSHUA A DIEMERT,

Plaintiff(s),

v.

CITY OF SEATTLE et al.,

Defendant(s).

CASE NO.
2:22-cv-01640-JNW

ORDER SETTING
TRIAL DATE AND
RELATED DATES

SCHEDULING DATES

Having reviewed the parties' Joint Status Report and Discovery Plan, the Court sets the following trial and related dates:

EVENT

DATE

JURY TRIAL begins

April 29, 2024

Length of trial

See JSR

Deadline for joining additional parties

August 15, 2023

Deadline for filing amended pleadings

October 2, 2023

Disclosure of expert testimony under
Fed. R. Civ. P. 26(a)(2)

October 2, 2023

Disclosure of rebuttal expert testimony under
Fed. R. Civ. P. 26(a)(2)

within 30 days after the
other party's expert
disclosure

EVENT**DATE**

All motions related to discovery must be filed by
(*see* LCR 7(d))

November 1, 2023

Discovery completed by

December 1, 2023

All dispositive motions and motions challenging
expert witness testimony must be filed by
(*see* LCR 7(d))

January 2, 2024

Settlement conference under LCR 39.1, if
requested by the parties, held no later than

February 29, 2024

All motions in limine must be filed by
(*see* LCR 7(d))

March 20, 2024

Deposition Designations must be submitted to
the Court by (*see* LCR 32(e))

April 8, 2024

Agreed pretrial order due

April 8, 2024

Trial briefs, proposed voir dire questions, and
proposed jury instructions must be filed by

April 15, 2024

Pretrial conference

April 22, 2024

The Local Civil Rules set all other dates. The dates listed in this order and set by the Local Civil Rules are firm and cannot be changed by agreement between the parties. Only the Court may alter these dates and it will do so only if good cause is shown. Failure to complete discovery within the time allowed does not establish good cause. If any of the dates identified in this Order or the Local Civil Rules fall on a weekend or federal holiday, the act or event must be performed on the next business day.

If the scheduled trial date creates an irreconcilable conflict, counsel must email Grant Cogswell, Courtroom Deputy, at grant_cogswell@wawd.uscourts.gov within 10 days of the date of this Order, explaining the exact nature of the conflict. Failure to do so

1 will be deemed a waiver. Counsel must be prepared to begin trial on the date scheduled
2 but should understand that trial may have to await the completion of other cases.

3 **COOPERATION**

4 As required by LCR 37(a), all discovery matters should be resolved by agreement
5 if possible. Counsel are also directed to cooperate in preparing the final pretrial order in
6 the format required by LCR 16.1, except as ordered below.

7 **EXHIBITS**

8 The parties must deliver one copy of their respective trial exhibits to Grant
9 Cogswell, Courtroom Deputy, five (5) days before the trial date. Each exhibit must be
10 clearly marked on the face of the exhibit. Each set of exhibits must be submitted in a
11 three–ring binder with appropriately numbered tabs. The Court alters the LCR 16.1
12 procedure for numbering exhibits as follows: Plaintiff's exhibits should be numbered
13 consecutively beginning with 1; Defendant's exhibits should include the prefix "A" and
14 should be numbered consecutively beginning with A–1. Duplicate documents should not
15 be listed twice. Once a party has identified an exhibit in the pretrial order, any party may
16 use it.

17 In addition, no later than seven (7) days before the trial date, the parties should
18 send an electronic copy of all exhibits in .PDF format with Optical Character
19 Recognition ("OCR") searchable text to Grant Cogswell, Courtroom Deputy. The parties
20 should notify the court of any physical objects or files that cannot be transmitted
21 electronically. Exhibits must be marked as described above, and the following protocols
22 also apply: (1) Electronic exhibits must be transmitted individually (i.e., one exhibit
23 per file), but exhibits may have multiple pages; (2) Exhibit file names should match the
24 descriptions listed on the joint exhibit list as closely as possible except that file names
25 should not exceed 80 characters, e.g., Ex. 1 – Accident Scene Photo; Ex. A–1 – Email
26 dated 4–03–23.

SETTLEMENT

If this case settles, counsel must notify Grant Cogswell, Courtroom Deputy, as soon as possible at grant_cogswell@wawd.uscourts.gov. An attorney who fails to give the courtroom deputy prompt notice of settlement may be subject to sanctions or discipline under LCR 11(b).

Dated the 16th of June 2023.

A handwritten signature in black ink, appearing to read "Jamal N. Whitehead", is written over a solid horizontal line.

Jamal N. Whitehead
United States District Judge